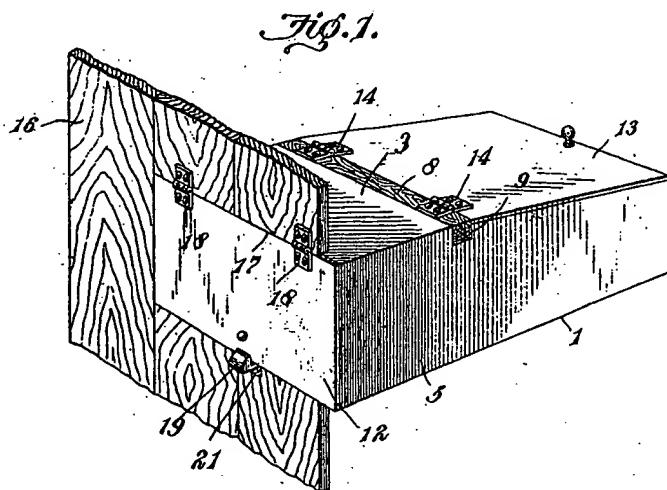
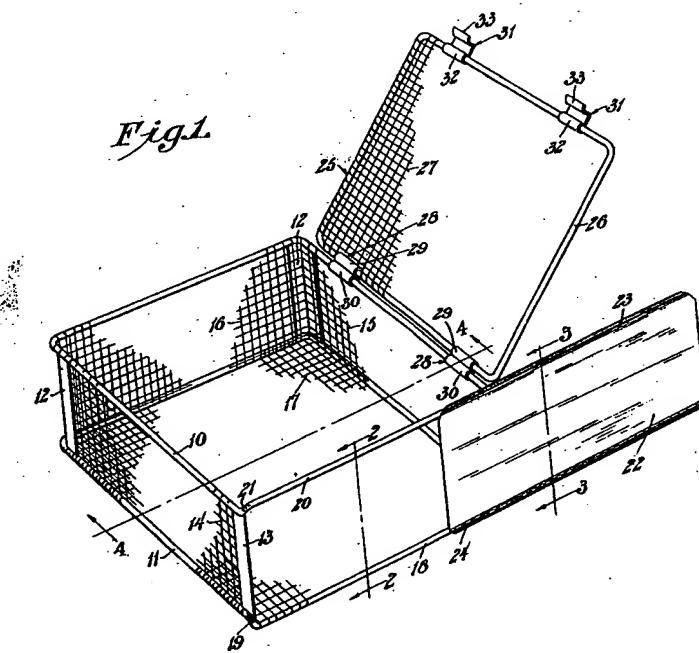


Applicant would like to thank Examiner Melwani for his time and consideration extended to Applicants representative, Chris Trainor, Esq. during the telephone interview conducted on January 9, 2003. During the interview, U.S. Patent Nos. 914,528 ("Thinnes") 1,840,561 ("Miller") and 6,126,211 ("Dominquez") were discussed in detail. It was agreed that further consideration of Applicant's arguments would be given upon filing of this response.

In the Office Action, Claims 1, 8, 11 and 18 were rejected under 35 U.S.C. § 103(a) over Thinners in view of Miller and in further view of Dominquez. Thinnes discloses a garbage receptacle shown in FIG. 1 reproduced below including a rectangular box 1 having an open end 2 and opening 11 which are closed by metal doors 12 and 13. Door 13 is pivotally hinged to box 1 and door 12 is pivotally hinged to a fence 16. The configuration of box 1 permits access to the box from either side of the fence.



Miller discloses a receptacle constructed to facilitate cleansing, sterilization and handling of tubular glass bodies of medicament-dispensing cartridges. The receptacle shown in FIG. 1 reproduced below includes square upper and lower frames 10 and 11 held in spaced relation by posts 12. A sliding closure 22 extends across a front of the receptacle. A lid 25 including a frame 26 of heavy wire is pivotally secured to frame 10 to cover a top opening of the receptacle.



Dominquez discloses a slidable deadbolt security device including a slidable deadbolt which is extendable into a slot formed in or secured to a sliding door to limit the degree of opening of the sliding door. The security device prevents disengagement of the deadbolt from the sliding door until the sliding door is fully closed.



Each of Claims 1 and 10 recites an access opening closure device including, inter alia, an access door having a plurality of recesses formed along a surface of the door and an engagement member which is movable into engagement with the plurality of recesses to selectively lock the access door at a plurality of different positions.

Applicant respectfully submits that none of the references cited by the Examiner, including Thinnes, Miller and Dominquez, taken alone or in combination, disclose such an access opening closure device.

In the Office Action, the Examiner states, inter alia, that "Dominquez discloses a locking device, wherein said device teaches the use of a plurality of apertures on a door to enable selective locking of said door in a plurality of positions". Applicant respectfully disagrees with the Examiner's characterization of Dominquez. More specifically, as discussed above, Dominquez discloses a slidable deadbolt security device which limits the degree of opening of a sliding door by positioning a deadbolt within an elongated slot secured to or adjacent to the sliding door. The device does not selectively lock an access door at any one position much less at a plurality of different positions. Further, even if Dominquez did disclose a device which selectively locked an access door at a plurality of different positions, there is absolutely no suggestion whatsoever in either Dominquez, Miller or Thinnes to perform such a modification or any showing of how such a modification might be accomplished. Accordingly, Applicant believes that Claims 1, 8, 11 and 18 are in condition for allowance.

In the Office Action, Claims 2, 3, 6, 10, 12, 13, 16 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thinnes, Miller, Dominquez and further in view of U.S. Patent No. 5,921,191 ("Gabel") and Claims 9 and 19 were rejected under

35 U.S.C. § 103(a) as being unpatentable over Thinnes, Miller, Dominquez and further in view of U.S. Patent No. 5,799,589 ("Clark"). Neither Gabel nor Clark cure the deficiencies of Thinnes, Miller and Dominquez as discussed above. Claims 2, 3, 6, 9 and 10 depend from Claim 1 and Claims 12, 13, 16, 19 and 20 depend from Claim 11. For at least the reasons discussed above with respect to Claims 1 and 11, Applicant respectfully submits that Claims 2, 3, 6, 9 and 10 and Claims 12, 13, 16, 19 and 20 which depend from Claims 1 and 11, respectively, are in condition for allowance.

Accordingly, early and favorable reconsideration of this application is respectfully requested. Should the Examiner feel that a telephone or personal interview may facilitate resolution of any remaining matters, he is respectfully requested to contact Applicant's attorney at the number indicated below.

Respectfully submitted,

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